

## Message Text

UNCLASSIFIED

PAGE 01 MEXICO 03381 152229Z

63

ACTION SCSE-00

INFO OCT-01 ISO-00 /001 W

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R 152215Z MAR 76

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 3616

UNCLAS MEXICO 3381

E.O. 11652: N/A

TAGS: CGEN, CASC, MX

SUBJECT: AMSENTEE VOTING: ELIGIBILITY OF U.S. PRISONERS OVERSEAS

REF: A-397

1. THE EMBASSY IS PRESENTLY PREPARING VOTING INFORMATION SHEETS FOR DISTRIBUTION LOCALLY AND BY CONSTITUENT POSTS AND COORDINATING WITH LOCAL BIPARTISAN VOTING COMMITTEE ON PLANS FOR PUBLICIZING OVERSEAS CITIZENS VOTING RIGHTS ACT OF 1975. IN THIS CONTEXT QUESTIONS HAS BEEN RAISED OF ELIGIBILITY OF U.S. PRISONERS DETAINED OVERSEAS TO VOTE UNDER NEW LAW. WE RECOGNIZE THAT ELIGIBILITY FOR VOTING IS DETERMINED LARGELY BY STATE LAW, AND THAT MANY STATES BAR VOTING PERSONS SERVING A SENTENCE FOR A FELONY CONVICTION. HOWEVER, WE WONDER (1) WHETHER THERE ARE STATES IN WHICH CONVICTED FELONS ARE NOT BARRED FROM VOTING, AND (2) WHAT EFFECT, IF ANY, CONVICTION BY A FOREIGN COURT MAY HAVE ON A CITIZEN'S RIGHT TO VOTE IN EITHER STATE OR FEDERAL ELECTIONS. OUR QUERY ALSO RELATES TO THOSE U.S. PRISONERS WHO HAVE NOT YET BEEN SENTENCED, OR WHOSE CONVICTIONS HAVE BEEN APPEALED.

2. ASSUMING THAT SOME IF NOT MOST, OVERSEAS PRISONERS MAY BE ELIGIBLE TO VOTE, ARE THERE ANY SPECIAL PROCEDURES OR PRECAUTIONS THE EMBASSY SHOULD FOLLOW IN NOTARIZING THEIR BALLOTS AND BALLOT APPLICATIONS? IT SHOULD BE NOTED THAT MOST OF THE PRISONERS ARE NOT DOCUMENTED WITH VALID PASSPORTS OR REGISTRATION CARDS, AND THAT IN MANY CASES THE EMBASSY HAS NEVER OBTAINED FORMAL PROOF OF CITIZENSHIP.

THOMPSON

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
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